

A GUIDE TO UNEMPLOYMENT BENEFITS

*This booklet has been prepared specifically to answer
Frequently Asked Questions from workers who have been
laid-off or dislocated through no fault of their own.*

QUESTIONS & ANSWERS



THE DISTRICT OF COLUMBIA
DEPARTMENT OF EMPLOYMENT SERVICES



**WHAT BENEFITS DOES THE UNEMPLOYMENT
COMPENSATION PROGRAM PROVIDE?**

The District of Columbia’s Unemployment Compensation Program pays weekly benefits to workers who are unemployed through no fault of their own and who are ready, willing, and able to work. This program is administered by the Department of Employment Services.

HOW IS THE PROGRAM FINANCED?

The Unemployment Compensation Program is financed by quarterly payroll taxes paid by employers doing business in the District. No deductions are taken from workers’ paychecks.

HOW DO I FILE A NEW CLAIM?

A new claim application must be filed in person at one of the District’s neighborhood One-Stop Career Centers. The location of these centers, their telephone numbers, and their hours of operation are as follows:

**South Capitol Street-CVS/pharmacy
One-Stop Career Center
4049 South Capitol Street, S.W. • (202) 724-7000
Monday-Friday 8:00 a.m.-3:30 p.m.**

**Franklin Street
One-Stop Career Center
1500 Franklin Street, N.E. • (202) 724-7000
Monday-Friday 8:00 a.m.-3:30 p.m.**

**Naylor Road
One-Stop Career Center
2626 Naylor Road, S.E. • (202) 724-7000
Monday-Friday 8:00 a.m.-3:30 p.m.**

Please call first before reporting in order to schedule an appointment.

WHAT ARE THE WAGE REQUIREMENTS FOR ELIGIBLTY?

To be eligible for benefits, you must meet certain wage requirements within a one-year period called the base period. The base period is determined by the date of your new claim. The table below shows the Base Period for an initial claim filed in any month of the year.

Month of Your New Claim	Your Base Period-the 12-Month Period Ending the Previous:
January, February or March	September 30 th
April, May or June	December 31 st
July, August or September	March 31 st
October, November or December	June 30 th

If you are not eligible under the standard base period described on page 1, you may be eligible under the alternative base period, which consists of the four most recently completed calendar quarters. The table below shows the alternative base period for an initial claim depending on the month the claim is filed:

Month of Your New Claim	Your Alternative Base Period-the 12-Month Period Ending the Previous:
January, February or March	December 31 st
April, May or June	March 31 st
July, August or September	June 30 th
October, November or December	September 30 th

The wage requirements that you must meet are as follows:

- You must have wages paid in at least two (2) calendar quarters of the base period (the calendar quarters are January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31);
- You must have a minimum of \$1,300 in wages paid in one quarter of the base period;
- You must have at least \$1,950 in total wages paid during the entire base period;
- Your total wages paid in the base period must be within \$70 of one and one-half the wages in that quarter of the base period with the highest wages. For example, if you have \$4,000 in the quarter of your base period with the highest wages, you would need at least \$5,930 in total base period wages to qualify.

Wages may be from D.C. private sector or non-profit employers, the federal government, or a branch of the Armed Services. Wages earned from an employer in another state may also count toward your claim.

HOW WILL I KNOW IF I AM MONETARILY ELIGIBLE?

Form UC 400, Notice of Monetary Determination, will be mailed to you within seven days after you file your claim, indicating your weekly benefit amount and your total benefit amount. It will list the wages reported under your name and social security number during the base period by all the employers who are covered by the District of Columbia’s Unemployment Compensation Program. Check the form carefully for the following information:

- Wages not included for employment in the base period.
- Wages included for employers that you did not work for.

If you are not monetarily eligible, the Notice of Monetary Determination will indicate what requirement you did not meet.

If you think the Notice of Monetary Determination is incorrect, report to your One-Stop Center as soon as possible, but no later than 10 days after the date of mailing. Bring your check stubs, W-2 forms, and any other proof of wages that you have.

ARE THERE ANY OTHER ELIGIBILITY REQUIREMENTS?

Yes. You must also meet the following requirements in order to be eligible for benefits:

- You must be totally or partially unemployed through no fault of your own;
- You must be actively seeking work for every week that you claim benefits (you are required to make at least two contacts each week);
- You must be available for work every week that you claim benefits;
- You must be physically able to work for every week that you claim benefits;
- You must register with the Job Service, unless you are a member in good standing of a labor union with a hiring hall.

HOW MUCH UNEMPLOYMENT COMPENSATION CAN I RECEIVE WEEKLY?

The weekly benefit amount varies from \$50 to \$309, depending on the amount of wages paid in the quarter of the base period with the highest amount of wages paid.

HOW MUCH CAN I COLLECT IN BENEFITS DURING THE BENEFIT YEAR?

The maximum amount of benefits that you may collect is the lesser of 26 times your weekly benefit amount or 50% of your total base period wages. For example, if your weekly benefit amount is \$300 and your total base period wages are \$16,000, your maximum benefit amount would be \$7,800 (26 times \$300) rather than \$8,000 (50% of \$16,000). If, however, your weekly benefit amount is \$300 and your total base period wages are \$10,000, your maximum benefit amount would be \$5,000 (50% of \$10,000) rather than \$7,800 (26 times \$300).

Benefits are paid on a bi-weekly basis. Please note that the first week of eligibility is a waiting period. No benefits are paid for this first week.

HOW LONG IS MY CLAIM EFFECTIVE?

A new claim is effective for one year, beginning with the week in which the claim is first filed. This is the benefit year. You may receive benefits only for weeks which fall within your benefit year. *You cannot be paid for weeks that are later than the end of this year, even if there is a remaining balance on your claim. You cannot file a new claim against the District of Columbia until your benefit year has ended, even if you have received all of your benefits.* You may, however, file a new claim against another state if you have qualifying wages in that state.

CAN I FILE A NEW CLAIM ONCE MY BENEFIT YEAR EXPIRES?

You can file a new claim against the District of Columbia once your benefit expires only if you have been employed between the date you filed your first claim and the date you file your second claim and earned at least 10 times the weekly benefit amount of the first claim.

As an example, you file your first claim on April 15 of this year and are entitled to a weekly benefit amount of \$200. You then file your second claim on April 14 of the next year. You would need to have earned at least \$2,000 (10 times \$200) between April 15 of this year and April 14 of the next in order to be eligible to file a new claim.

UNDER WHAT CIRCUMSTANCES ARE BENEFITS DENIED?

You may be disqualified or held ineligible for the following reasons:

- Voluntarily leaving your last 30-day employer without good cause connected with the work;
- Being discharged for misconduct or gross misconduct by your last 30-day employer;
- Participating in a labor dispute other than a lockout;
- Refusing a suitable offer to work without good cause;
- Not being able or available for work;
- Failing to follow reporting instructions;
- Not being authorized to work if you are an alien.

HOW LONG DOES A DISQUALIFICATION OR AN INELIGIBILITY LAST?

- **For voluntarily leaving your last 30-day employer without good cause connected with the work, being discharged for gross misconduct, or for refusing suitable work:**

Benefits are denied until you work at least 10 weeks, earn at least ten (10) times your weekly benefit amount, and then become unemployed without fault. *Weeks of work do not have to be consecutive.*

As an example, if your weekly benefit amount is \$200, you must work at least part of ten different weeks and have total earnings of at least \$2,000 and then become unemployed without fault to requalify for benefits.

- **For being discharged for misconduct that is not considered gross:**
Benefits are denied for eight weeks and the total amount of benefits is reduced by 8 times your weekly benefit amount.
- **For participating in a labor dispute:**
Benefits are denied for the duration of the labor dispute.
- **For not being able to work or not being available and actively looking for work:**
Benefits are denied until you are able to work or until you are available and actively looking for work.
- **For not being authorized to work if you are an alien:**
Benefits are denied until you provide documentation that you are authorized to work.

ARE THERE ADDITIONAL DENIAL OF BENEFITS THAT APPLY ONLY TO CERTAIN CATEGORIES OF WORKERS?

Yes. If you are an employee of an educational institution, you are denied benefits during the period between successive academic years or terms and during holiday breaks, if you have been given a reasonable assurance of returning to employment when school resumes. Also, if you are a member of a professional sports team, you are denied benefits between sport seasons if you have been given a reasonable assurance of reemployment in the next sport season.

WHAT CAN I DO IF I AM DENIED BENEFITS?

You may file an appeal within 10 calendar days of the date the Claims Examiner's Determination is issued. Your appeal may be filed either in person at the One-Stop Center where you filed your claim or by mail to that center.

HOW DO I FILE FOR WEEKLY BENEFITS?

You should receive in the mail your first claim form within five to seven days after you file your initial claim. If you do not receive your claim form within this time frame, you should report back to your One-Stop Center. The claim form contains six questions which you must answer for each of the two weeks on the claim form. Remember to sign and date this form before you return it.

WHEN SHOULD I MAIL MY BI-WEEKLY CLAIM FORM?

To assure prompt processing and payment, you should mail your completed bi-weekly claim form on the Sunday or Monday following the second week ending date that is printed on the form. The latest you should mail your form in is seven calendar days after the second week ending date. **Failure to mail your claim form on a timely basis may result in denial of benefits. If you mail your claim form early, that is, before the second week ending date, it will not be processed and you will be sent another form to complete.**

After you mail your form, you should receive within seven days another claim form for the next two weeks. Attached to the claim form will be your benefit check or a notice indicating why no benefits can be paid. If you do not receive your claim form and the attached check or message within this time frame, you should report back to your One-Stop Center or call the Check Inquiry Line during the regular business day at 202-724-7000.

You may also file your bi-weekly claim for benefits over theWEB, instead of mailing your bi-weekly claim form. You will be receiving detailed instructions by mail in this regard. You may also use the WEB to determine the status of the last four weeks that you have claimed.

Please note that any check you receive must be cashed within 30 days of the date of the check.

ARE ANY DEDUCTIONS MADE TO UNEMPLOYMENT BENEFITS?

Yes. Deductions are made in the following cases:

- **If you are receiving a pension based on your previous work, including a Social Security Pension:**

Your monthly pension will be calculated on a weekly basis and subtracted from your weekly benefit amount. If your pension, calculated on a weekly basis, is larger than your weekly benefit amount, you will receive no benefits.

- **If you owe child support:**

A deduction of at least 25% of your weekly benefit amount may be made if a request for deduction is received from a Child Support Agency.

- **If you authorize withholding of federal taxes:**

Unemployment benefits must be reported on both your federal and state income tax return. You may elect to have 10% of your weekly benefit amount automatically withheld and forwarded to the Internal Revenue Service for federal taxes. *If you are a District resident, you may also authorize the withholding of 5% of your weekly benefit amount for your D.C. income taxes.*

- **If you are working part time:**

All earnings from any kind of work, including self-employment, must be reported on your bi-weekly claim form for the week in which the work was done. You must report gross earnings (before any deductions for taxes, social security, etc.). Earnings reduce your weekly benefit amount according to the following formula:

- Add \$20 to your weekly benefit amount;
- Subtract 80% of your gross weekly wages;
- The remainder, rounded down to the nearest dollar, is your reduced weekly benefit amount.

For example, if your weekly benefit amount is \$300 and your gross earnings for a particular week are also \$300, your reduced weekly benefit amount would be \$80 ($\$300 + \$20 = \$320 - \$240 [80\% \text{ of } \$300] = \80).

- **If you are receiving severance pay:**

Because severance pay is considered earnings, it must be reported on your bi-weekly claim form and will be deducted from the weekly benefit amount according to the above formula for earnings. *In most instances, severance pay will result in no benefit payable for the week, because severance pay is usually made at the regular salary rate.*

WHAT HAPPENS IF I AM OVERPAID?

If it is determined that you received benefits to which you were not entitled, you will receive a written determination indicating the amount overpaid and the reason for the overpayment. Some of the most common reasons for overpayment are:

- Failure to report earnings on your bi-weekly claim form;
- Under-reporting your earnings on your mail claim; for example, reporting “take home” instead of gross earnings;
- Failure to report that you are receiving a pension;
- Continuing to file for benefits after you return to full-time work;
- A decision by an Appeals Examiner or from the Office of Appeals and Review, which overturns an earlier ruling that you were eligible for benefits.

AM I LIABLE FOR REPAYMENT?

Yes. You are liable for full repayment, which may be made through agreed-upon installment payments. Future unemployment compensation benefits are also applied completely until your overpayment is totally repaid. D.C. income tax refunds may also be intercepted if you refuse to make repayment. If you are working for the District of Columbia Government, your wages may also be attached. **Note that legal action may also be taken to collect if repayment is not being made.**

ARE THERE ANY OTHER PENALTIES IF IT IS DETERMINED THAT I AM OVERPAID?

There may be, if it is determined that you knowingly made false statements or withheld an important fact in order to obtain or increase unemployment benefits. This is considered to be fraud, and you may be disqualified for as much as one year beyond your benefit year ending date. Additionally, you may be subject to criminal prosecution.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
ANTHONY A. WILLIAMS, MAYOR



DEPARTMENT OF EMPLOYMENT SERVICES
GREGORY P. IRISH, DIRECTOR